

APPEAL NO. 020934
FILED MAY 22, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 2, 2002. The hearing officer resolved the sole issue before her by determining that the appellant's (claimant) impairment rating (IR) is 12% pursuant to the Texas Workers' Compensation Commission (Commission)-appointed designated doctor's certification. The claimant appealed. There is no response from the respondent (carrier) in the file.

DECISION

Affirmed.

The parties stipulated that the claimant reached statutory maximum medical improvement on March 31, 2000, and that the Commission-appointed designated doctor certified that the claimant had an IR of 12% on August 8, 2000. Section 408.125(e) of the 1989 Act provides that an IR report by a Commission-appointed designated doctor shall have presumptive weight and the Commission shall base its determination on such report, unless the great weight of other medical evidence is to the contrary. The hearing officer determined that the designated doctor properly applied the Guides to the Evaluation of Permanent Impairment, third edition, second printing, dated February 1989, published by the American Medical Association, and that his certification is entitled to presumptive weight as it is not contrary to the great weight of the other medical evidence. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **WAUSAU UNDERWRITERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEMS
350 NORTH ST. PAUL, SUITE 2900
DALLAS, TEXAS 75201.**

Daniel R. Barry
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Judge

Robert W. Potts
Appeals Judge